

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION

UNITED STATES OF AMERICA)	
)	DOCKET NO. 5:15CR15-RLV
v.)	
)	
(1) STEVEN CHASE)	

MOTION FOR MANDATORY VICTIM RESTITUTION
AND FOR A NINETY DAY EXTENSION TO DETERMINE FINAL RESTITUTION

NOW COMES the United States of America, by and through Jill Westmoreland Rose, United States Attorney for the Western District of North Carolina, who files this Motion for a 90-Day Extension of Time to Determine Final Restitution.

A jury found Defendant guilty of one count of Engaging in a Child Exploitation Enterprise, in violation of 18 U.S.C. § 2252A(g), one count of Advertising Child Pornography, in violation of 18 U.S.C. § 2251(d)(1), three counts of Transportation of Child Pornography, in violation of 18 U.S.C. § 2252A(a)(1), and one count of Possession of Child Pornography, in violation of 18 U.S.C. § 2252A(a)(1). Defendant's sentencing is set for May 1, 2017.

18 U.S.C. § 2259 provides for mandatory restitution in child pornography cases. Any award of restitution in such case is enforced via 18 U.S.C. § 3664. Subsection (d)(5) of that section allows the court to extend the time for final determination of a victim's losses should those losses not be ascertainable by a date that is 10 days prior to sentencing. The government has received restitution requests from numerous victims in this case. The documentation submitted in support of the requests is voluminous. Furthermore, some of the restitution requests were received from series that depicted multiple victims. The government has worked to determine which victims were depicted in the images involved in this case, and are therefore

entitled to seek restitution. The government was able to complete this process of confirming the identification of the victims just this week.

Restitution is further complicated in this case because there are two codefendants. The government believes that the codefendants will likely be held jointly and severally responsible for restitution. The codefendants have indicated that they would like to work out a joint recommendation for restitution. Given that the decision in one defendant's case could affect the other defendants, it would be more efficient to allow all the parties to participate in any hearing or briefing regarding the proposed restitution in this case.

If any of the parties are unable to come to an agreement, the government's practice has been to submit claim "packages" provided to it by victims, through counsel, claiming restitution in criminal child pornography cases. The government intends to submit such materials in the instant matter, if necessary, as well as the government's position regarding the appropriate restitution amount in this case.

Thus, the United States respectfully requests that this Court grant a 90-day extension of time as provided for by 18 U.S.C. 3664(d)(5) in which to determine the amount of restitution due to the victims in this case. Counsel for Defendant objects to this extension.

RESPECTFULLY SUBMITTED, this 28th day of April, 2017.

JILL WESTMORELAND ROSE
UNITED STATES ATTORNEY

s/ Cortney S. Randall
Assistant United States Attorney
NC Bar Number: 31510
Attorney for the United States
United States Attorney's Office
227 West Trade Street, Suite 1650
Charlotte, North Carolina 28202
Telephone: 704.344.6222

Fax: 704.344.6629

E-mail: cortney.randall@usdoj.gov

s/ Reginald E. Jones

Trial Attorney

Mississippi bar Number: 102806

Attorney for the United States

U.S. Department of Justice, Criminal Division

Child Exploitation and Obscenity Section

Telephone: 202.616.2807

Reginald.Jones4@usdoj.gov

CERTIFICATE OF SERVICE

I hereby certify that on this 28th day of April 2017, the foregoing ***Motion for Mandatory Victim Restitution and for a Ninety Day Extension to Determine Final Restitution*** was electronically served upon Defendant at the following addresses:

Peter Adolf
Attorney for Defendant
Peter_Adolf@fd.org

s/ Cortney S. Randall
Assistant United States Attorney
NC Bar Number: 31510
Attorney for the United States
United States Attorney's Office
227 West Trade Street, Suite 1650
Charlotte, North Carolina 28202
Telephone: 704.344.6222
Fax: 704.344.6629
E-mail: cortney.randall@usdoj.gov

s/ Reginald E. Jones
Trial Attorney
Mississippi bar Number: 102806
Attorney for the United States
U.S. Department of Justice, Criminal Division
Child Exploitation and Obscenity Section
Telephone: 202.616.2807
Reginald.Jones4@usdoj.gov